## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Michael WHITMAN et al.

Serial No. : 10/785,672

Filed: February 23, 2004

For : SURGICAL CUTTING AND STAPLING DEVICE

Examiner : Gloria Weeks

Art Unit : 3721

Confirmation No. : 2683

Mail Stop Amendment Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on October 2, 2008.

Signature: /Clifford A. Ulrich/

## **RESPONSE**

SIR:

This paper is filed in response to the Office Action of April 2, 2008 in connection with the above-captioned application without prejudice as follows:

Remarks begin on page 2 of this paper.